

REMARKS

The Office Action dated October 16, 2003, has been carefully considered. In response thereto, the present application has been amended in a manner which is believed to place it into condition for allowance. Accordingly, reconsideration and withdrawal of the outstanding Office Action and issuance of a Notice of Allowance are respectfully solicited.

At the outset, the Applicants acknowledge with appreciation the indication of allowable subject matter in claims 3 and 4. Since claim 3 has been rewritten in independent form, the Applicants respectfully submit that the objection to claims 3 and 4 as being dependent upon a rejected base claim has been overcome and that claims 3 and 4 are plainly in condition for allowance.

The Applicants further submit that claim 1 as amended, and claims 2 and 5-11 dependent upon amended claim 1, claim subject matter which is not anticipated by U.S. Patent No. 6,289,143 to *Berthold et al* and would not have been obvious over *Berthold et al*. The sensor defined in those claims, with its ferrules and sleeves as recited in the claims, has a structure which is not taught or suggested by the applied reference and which is more robust and easier to assemble and use than the sensor of the applied reference, with its resonant cylinder 30 or hollow glass tube 16.

Further, with regard to claims 5-10, the Applicants officially traverse the official notice. Since the further limitations of those claims are not "capable of instant and unquestionable demonstration as being well-known," MPEP §2144.03, the Applicants respectfully submit that official notice is unwarranted and respectfully request the citation of prior art to support the allegation that those limitations are known in the prior art.

Thus, the Applicants respectfully submit that the outstanding grounds of rejection under 35 U.S.C. §§102 and 103 have been overcome by the present Amendment.

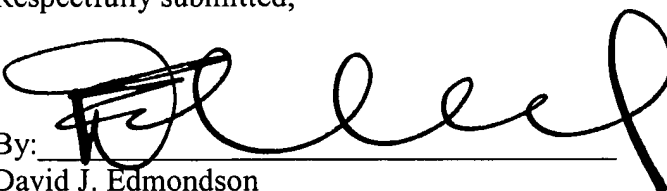
Finally, the Applicants respectfully request that the Information Disclosure Statement filed August 25, 2003, be considered and acknowledged.

For the reasons set forth above, the Applicants respectfully submit that the application as amended is in condition for allowance. Notice of such allowance is respectfully solicited.

In the event there are any questions relating to this Amendment or to the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that prosecution of this application may be expedited.

Please charge any shortage of fees or credit any overpayment thereof to BLANK ROME LLP, Deposit Account No. 23-2185 (115354-00106). In the event that an extension of time is required to render the present Amendment timely and a separate Petition for an Extension of Time either does not accompany this Response or is insufficient to render this Amendment timely, the Applicants herewith petition under 37 C.F.R. §1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized above.

Respectfully submitted,


By: _____

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